

**THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CIVIL CASE NO. 1:20-cv-00302-MR**

<b>WELLS FARGO BANK, N.A.,</b>	)	<b><u>ORDER FOR DISTRIBUTION OF INTERPLEADER FUNDS AND DISMISSAL</u></b>
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	
	)	
<b>THE SOUTHEAST BIOFEEDBACK AND CLINICAL NEUROSCIENCE ASSOCIATION, URSZULA KLICH, ADRIANA STEFFENS, and SYLVIA WHITMIRE,</b>	)	
	)	
<b>Defendants/ Claimants in Interpleader.</b>	)	
	)	

**THIS MATTER** is before the Court on the document entitled “Resolution” filed by the Claimants Sylvia Whitmire and Adriana Steffens [Doc. 46].

On December 21, 2022, the Court entered an Order directing the Claimants to show cause why their claims in this interpleader action should not be dismissed due to the Claimants’ failure to appear at the final pretrial conference. [Doc. 45]. On December 21, 2022, the Claimants filed a document entitled “Resolution,” which the Court construes as a stipulation by the Claimants regarding the disbursement of the interpleaded funds.

Having reviewed the parties' stipulation, the Court hereby enters the following Order.

**IT IS, THEREFORE, ORDERED** as follows:

(1) The Show Cause Order [Doc. 45] is **DISCHARGED**;

(2) The interpleaded funds that were deposited with the Court by the Plaintiff in the amount of \$17,602.23<sup>1</sup> are hereby **RELEASED** and shall be distributed to the following individual: Dr. Tom Gross, 21 Clement Drive, Mills River, NC 28759;

(3) The interest accrued on the above-referenced interpleaded funds is hereby **RELEASED** and shall be distributed to Dr. Gross at the address listed above; and

(4) This action is **DISMISSED WITH PREJUDICE**, with each party bearing its/her own attorneys' fees and/or costs.

The Clerk of Court is respectfully instructed to prepare a Judgment consistent with the Order entered herein.

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<sup>1</sup> The Plaintiff originally deposited a total of \$22,002.23 in disputed funds with the Court; however, the Court awarded the Plaintiff \$4,400.00 in attorneys' fees from this deposited amount, leaving a total of \$17,602.23 in disputed funds. [See Doc. 26].

**IT IS SO ORDERED.**

Signed: January 16, 2023

  
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Martin Reidinger  
Chief United States District Judge 